

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
ROGER KRZEMINSKI
NANCY NEVERS

ABSENT: NONE

Also in attendance: Jerome R. Schmeiser, Community Planning Consultant
Lawrence W. Dloski, Township Attorney
James Gelios, Township Deputy Clerk
James Van Tiflin, Township Engineer of Spalding DeDecker &
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS called the Roll Call. All members present.

2. Approval of Agenda Items (with any corrections)

MOTION by BUCCI seconded by DUNN to approve the agenda as amended.

MOTION carried.

3. Approval of Bills

MOTION by KRZEMINSKI seconded by DUNN to approve the bill runs as submitted.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

4. Approval of the August 10, 2005 previous Meeting Minutes

MOTION by DUNN seconded by BUCCI to approve the revised meeting minutes as submitted.

MOTION carried.

5. CONSENT AGENDA ITEMS:

- 5A. Clerk's Department:

1. Ground Sign Bond Return; Manor Place Subdivision Lot 1
2. Ground Sign Bond Return; Manor Place Subdivision Lot 108
3. Release of Model Permit Bond; Buckingham Woods # 1 Lot 275
4. Wall Sign Bond Return; Golden Bowl
5. Landscape Bond Return; Koss Farms Subdivision
6. Release of Monuments & Irons Bond; Villagio Subdivision

- 5B. Department Monthly Reports:

1. Building Department
2. Fire Department
3. Macomb County Sheriff's Department
4. Parks and Recreation Department
5. Water/Sewer Department

- 5C. Water & Sewer Department Easement Encroachment Agreements:

1. Robert Genslak, Lot 129, Creekside Village Subivision
2. Douglas J. & Laura L. Didia, Lot 75, Sawmill Creek Subivision
3. Paolo & Marianna Giannosa, Lot 158 Sumpter Forest Subivision
4. James M. & Shannon L. Maisano, Lot 179, Villa Rosa Subdivision.
5. Theresa M. Solecki, Lot 2, Indian Pointe Subdivision.
6. Frances L. Hockett, Lot 27 Pinewood Villas West.
7. David R. & Angela M. Black, Lot 198, Shenandoah Village Subdivision.
8. Jeffery A. & Kimberly A. Soenen, Lot 194, Fairways of Macomb Subdivision.

MOTION by KOEHS seconded by MALBURG to approve the consent agenda items as submitted.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

6. Public Comments (Non Agenda items only - 3 minute time limit)

Public Portion: Joint Production Technology, a tool and die corporation reviewed their request asking the Board of Trustees for their consideration on establishing renaissance zones in the Township. Supervisor BRENNAN reviewed the action and discussion that occurred at the last Board meeting relating to renaissance zone consideration. Mr. Brennan recommended that the Board deny the request.

MOTION by KRZEMINSKI seconded by BUCCI to deny the request to consider establishing renaissance zones within the Township of Macomb, specifically finding that the request as presented by Joint Production Technology is denied. Permanent Parcel No. 08-18-300-028

MOTION carried.

PUBLIC HEARING:

7. **Request to Adopt Resolution No. 2 to create the Special Assessment District; Wolverine Country Club; ~~Detention Basin~~; Sedimentation Basin;** Located on the northwest corner of 25 Mile and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Supervisor BRENNAN reviewed the request and opened the public hearing at 7:09 p.m.

Public Portion: None

MOTION by DUNN seconded by KOEHS to close the public hearing at 7:10 p.m.

MOTION carried.

MOTION by KOEHS seconded by BUCCI to adopt Resolution No. 2 to create the Special Assessment District; Wolverine Country Club; Sedimentation Basin; Permanent Parcel No. 08-05-400-028 as follows:

RESOLUTION NO. 2

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 o'clock P.M., Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

The following preamble and resolution were offered by Member and supported by Member .

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated July 27, 2005, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin as described in Exhibit "A" attached hereto (the "Basin"); and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the State Land Division Act, as amended, (the "Act"), proper notice having been given, a hearing was held on August 24, 2005, on creating and maintaining the sedimentation basin, including, but not limited to, the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basin by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 191, inclusive, Wolverine Country Club Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto; and

WHEREAS, Lots 1 through 191, inclusive, within the Plat are benefited by the sedimentation basins; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That the Special Assessment District created by resolution on July 27, 2005, and approved at a public hearing on August 24, 2005, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.

2. That the authority to defray the cost of operating and maintaining the sedimentation basin by special assessment on the property benefited thereby as adopted by the Township by resolution on July 27, 2005, and approved at a hearing on August 24, 2005, is confirmed.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sedimentation basin, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the sedimentation basin, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District equal to the annual cost of the operation and maintenance of the sedimentation basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District together will all lots contained within Wolverine County Club Subdivision covered by this Special Assessment District.

4. That after the determination of the annual cost of the operation and maintenance of the sediment basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5. That the Township Board by and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: KOEHS, BUCCI, KRZEMINSKI, MALBURG, DUNN, NEVERS,
BRENNAN

NAYS: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/bk

RESOLUTION DECLARED ADOPTED.

8. **Request to Adopt Resolution No. 2 to create the Special Assessment District; The Woodlands Subdivision; ~~Detention Basin~~; Sedimentation Basin;** Located on the east side of Card Road approximately ½ mile south of 23 Mile Road; GTR Builders, Petitioner. Permanent Parcel No. 08-23-300-021

Supervisor BRENNAN reviewed the request and opened the public hearing at 7:12 p.m.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Public Portion: None

MOTION by KOEHS seconded by DUNN to close the public hearing at 7:13 p.m.

MOTION carried.

MOTION by DUNN seconded by MALBURG to approve the request to adopt Resolution No. 2 to create the Special Assessment District; The Woodlands Subdivision; Sedimentation Basin; Petitioner. Permanent Parcel No. 08-23-300-021 as follows:

RESOLUTION NO. 2

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 o'clock P.M., Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution were offered by Member DUNN and supported by Member MALBURG.

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated July 27, 2005, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin as described in Exhibit "A" attached hereto (the "Basin"); and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the State Land Division Act, as amended, (the "Act"), proper notice having been given, a hearing was held on August 24, 2005, on creating and maintaining the sedimentation basin, including, but not limited to, the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basins by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 157, inclusive, The Woodlands Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto; and

WHEREAS, Lots 1 through 157, inclusive, within the Plat are benefited by the sedimentation basins; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basins, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That the Special Assessment District created by resolution on July 27, 2005, and approved at a public hearing on August 24, 2005, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.

2. That the authority to defray the cost of operating and maintaining the sediment basin by special assessment on the property benefited thereby as adopted by the Township by resolution on July 27, 2005, and approved at a hearing on August 24, 2005, is confirmed.

3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sediment basin, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the sediment basin, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District equal to the annual cost of the operation and maintenance of the sedimentation basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which 157 is the total number of lots in the Special Assessment District.

4. That after the determination of the annual cost of the operation and maintenance of the sediment basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5. That the Township Board by and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

**AYES: DUNN, MALBURG, NEVERS, BUCCI, KRZEMINSKI, KOEHS,
BRENNAN**

NAYS: NONE

ABSENT: NONE

**Michael D. Koehs, CMC
Macomb Township Clerk**

RESOLUTION DECLARED ADOTPED.

9. **Request to Adopt Resolution No. 2 to create the Special Assessment District; Riviera Ridge Estates Subdivision; Sedimentation Basin;** Located on the east side of Card road approximately 819' north of 22 Mile Road. Riviera Ridge Estates LLC, Petitioner. Permanent Parcel No. 08-23-300-022.

Supervisor BRENNAN reviewed the request and opened the public hearing at 7:13 p.m.

Public Portion: None

MOTION by BUCCI seconded by KOEHS to close the public hearing at 7:14 p.m.

MOTION carried.

MOTION by KOEHS seconded by DUNN to approve the request and adopt Resolution No. 2 to create the Special Assessment District; Riviera Ridge Estates Subdivision; Sedimentation Basin; Permanent Parcel No. 08-23-300-022 as follows:

RESOLUTION NO. 2 - RIVIERA RIDGE ESTATES SUBDIVISION

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005 at 7:00 o'clock P.M., Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet, Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution were offered by Member KOEHS and supported by Member DUNN.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

WHEREAS, the Macomb Township Board (the “Township”) has passed a resolution dated July 27, 2005, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin described in Exhibit “A” attached hereto (the “Basin”); and

WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 196 as amended, (the “Act”), proper notice having been given, a hearing was held on August 24, 2005, on creation and maintaining the sedimentation basin, including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefitted thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basin, by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed lots 1 through 57, inclusive, Riviera Ridge Estates Subdivision (the “Plat”), as approved by the Township, located on a portion of the land described in Exhibit “B” attached thereto; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basins, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP
BOARD OF THE TOWNSHIP OF MACOMB, MACOMB
COUNTY, MICHIGAN:**

- 1. That the Special Assessment District created by resolution on July 27, 2005, and approved at a public hearing on August 24, 2005, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit “B” attached to this Resolution and made a part hereof.**
- 2. That the authority to defray the cost of operating and maintaining the sediment basin, by special assessment on the property benefitted thereby as adopted by the Township by resolution on July 27, 2005, and approved at a public hearing on August 25, 2005 is confirmed.**
- 3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sediment basin, the Township shall prepare a special assessment roll, determine the annual cost of this operation and maintenance of the sediment basin, establish an annual**

special assessment levy, and prepare a plan to spread the assessment levy of each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sediment basin multiplied by a fraction, the number of which is one (1) and the denominator of which fifty-seven (57) is the total number of lots in the Special Assessment District.

4. That after the determination of the annual cost of the operation and maintenance of the sediment basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.
5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: KOEHS, DUNN, MALBURG, BUCCI, NEVERS, KRZEMINSKI, BRENNAN.

NAYS: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

10. **Request to Adopt Resolution No. 2 to create the Special Assessment District; Villagio Subdivision; ~~Detention Basin~~; Sedimentation Basin;** Located on the south side of 26 Mile Road and west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046.

Supervisor BRENNAN reviewed the request and opened the public hearing at 7:14 p.m.

Public Portion: None

MOTION by DUNN seconded by KOEHS to close the public hearing at 7:15 p.m.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

MOTION carried.

MOTION by DUNN seconded by BUCCI to adopt Resolution No. 2 to create the Special Assessment District; Villagio Subdivision; Sedimentation Basin; Permanent Parcel No. 08-06-200-046 as follows:

RESOLUTION NO. 2

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 o'clock P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution were offered by Member DUNN and supported by Member BUCCI.

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated August 10, 2005, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating certain sedimentation basins described in Exhibit "A" attached hereto; and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the State Land Division Act, as amended, (the "Act"), proper notice having been given, a hearing was held on August 24, 2005, on creation and maintaining the sedimentation basins including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basins by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 91, inclusive, Villagio Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto; and

WHEREAS, Lots 1 through 91, inclusive, within the Plat are benefited by the sedimentation basins, and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basins, determine the annual special

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

**NOW, THEREFORE, BE IT RESOLVED BE THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. That the Special Assessment District created by resolution on August 10, 2005, and approved at a public hearing on August 24, 2005, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.

2. That the authority to defray the cost of operating and maintaining the sedimentation basin by special assessment on the property benefited thereby as adopted by the Township by resolution on August 10, 2005, and approved a public hearing on August 24, 2005 is confirmed.

3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sedimentation basin, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the sedimentation basins, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sedimentation basins multiplied by a fraction, the numerator of which is one (1) and the denominator of which is 91.

4. That after the determination of the annual cost of the operation and maintenance of the sedimentation basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

**FOR THIS MOTION: DUNN, BUCCI, NEVERS, KRZEMINSKI, MALBURG,
KOEHS, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

11. **Special Assessment District for Street Lighting; The Bluffs of Beaufait Farms Subdivision Phase 2;** Located west of North Avenue, approximately ¼ mile north of Hall Road; Jeff Weber, Petitioner. Parcel No. 08-35-401-004.

Supervisor BRENNAN reviewed the request and opened the public hearing at 7:17 p.m.

Public Portion: None

MOTION by MALBURG seconded by KOEHS to close the public hearing at 7:18 p.m.

MOTION carried.

MOTION by KRZEMINSKI seconded by MALBURG to approve the Special Assessment District for Street Lighting; The Bluffs of Beaufait Farms Subdivision Phase 2; Parcel No. 08-35-401-004. The resolution is as follows:

**Street Lighting The Bluffs of Beaufait Farms Subdivision II
RESOLUTION ORDERING ESTABLISHMENT
OF STREET LIGHTING DISTRICT**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 P.M., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Janet Dunn, Dino F. Bucci, Jr., Roger Krzeminski, Nancy Nevers.

ABSENT: None

The following preamble and resolution were offered by Member KRZEMINSKI and supported by Member MALBURG.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating streets serving lands described in Exhibit "A" is necessary to preserve the public safety and welfare.

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. It is hereby directed that a street light or lights shall be installed at The Bluffs of Beaufait Farms Subdivision II, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

3. The annual electrical service charge is Three Thousand Six Hundred Eighty Eight dollars and 39/100 (\$3,688.39). Three times the annual cost is Eleven Thousand Sixty Five dollars and 16/100 (\$11,065.16). Total project cost is Thirty Four Thousand Nine Hundred Ninety Three dollars and 79/100 (\$34,993.79). The petitioner contribution amount is Twenty Three Thousand Nine Hundred Twenty Eight dollars and 63/100 (\$23,928.63). The Townships at large contribution is zero dollars and 00/100 (\$0.00).

4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

FOR THIS MOTION: KRZEMINSKI, MALBURG, BUCCI, NEVERS, DUNN, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

PLANNING COMMISSION:

12. **Final Plat; Villagio Subdivision;** Located on the south side of 26 Mile Road and west of Romeo Plank Road; Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046. **(Tabled from the Township Board of Trustees Meeting of August 10, 2005)**

This matter was tabled indefinitely at the direction of the Township Supervisor, John D. Brennan. Further, a variance is needed from the Zoning Board of Appeals relating to the entrance wall of the subdivision prior to consideration of this proposal.

13. **Final Preliminary Plat; Clearstone Subdivision;** Located on the southwest corner of 26 Mile and Luchtman Roads; Salvatore DiMercurio & Frank Karam, Petitioners. Permanent Parcel No. 08-05-200-011.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Petitioner Present: Bill Thompson

Public Portion: None

MOTION by DUNN seconded by NEVERS to approve the Final Preliminary Plat; Clearstone Subdivision; pursuant to fulfilling the standard conditions related to this proposal. Permanent Parcel No. 08-05-200-011.

MOTION carried.

14. **Final Plan; Strathmore Site Condominium Subdivision, Phase II;** Located on the south side of 26 Mile, approximately ¼ mile east of Luchtman Road; Pulte Homes, Petitioner. Permanent Parcel No. 08-04-100-035.

This matter was tabled indefinitely at the direction of the Township Supervisor, John D. Brennan. Further, that the landscape plan is not complete.

15. **Final Plat; The Bluffs of Beaufait Farms Subdivision #2;** Located west of North Avenue, approximately ¼ mile north of Hall Road; Jeff Weber, Petitioner. Parcel No. 08-35-401-004.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and recommended approval.

Petitioner: Not present

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to approve the final plat and direct the Township Clerk to sign the mylar for The Bluffs of Beaufait Farms Subdivision #2 pursuant to fulfilling the standard conditions related to this proposal. Parcel No. 08-35-401-004.

MOTION carried.

NEW BUSINESS:

16. **Model Permits; Sec. 28 Chelsea Court Subdivision; Lots 1, 2, 8 & 9**
Unity Properties, Petitioner.

Supervisor BRENNAN reviewed the request.

Petitioner: Not present

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the model permit request for Chelsea Court Subdivision Lots 1, 2, 8 & 9. Section 28

MOTION carried.

OLD BUSINESS:

17. **Request to Adopt the Amended Resolution No. 2; Sec. 33 Riverwoods Subdivision Nos. 1 & 2; Special Assessment District; Storm Water BMP (stormceptor));** Located south of 21 Mile Road and west of Heydenreich Road
Timothy Tomlinson, Petitioner.

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by NEVERS to adopt the Amended Resolution No. 2; Sec. 33 Riverwoods Subdivision Nos. 1 & 2; Special Assessment

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

District; Storm Water BMP (stormceptor) Permanent Parcel No. The resolution is as follows:

**AMENDED RESOLUTION NO. 2
(Riverwoods Subdivisions No.s 1 & 2)**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 p.m., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Michel D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution were offered by Member KRZEMINSKI, and supported by Member NEVERS.

WHEREAS, the Special Assessment District consists of RIVERWOODS SUBDIVISION NO. 1, LOTS 1 THROUGH 75 AND RIVERWOODS SUBDIVISION NO. 2 LOTS 76-170, (the "Plat"), inclusive, as approved by the Township located on a portion of the land described in Exhibit B attached hereto; and

WHEREAS, Lots 1 through 170, inclusive, within the Plat are benefited by the storm water BMP (stormceptor).

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual costs of the operation and maintenance of the storm water BMP (stormceptor)s, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1) That the Special Assessment District created by resolution on August 24, 2005 is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit B attached to this Resolution and made a part hereof.

2) That the authority to defray the costs of operating and maintaining the storm water BMP (stormceptor) by special assessment on the property benefited thereby as adopted by the Township by resolution on August 24, 2005.

3) That in the event the Township has or intends to expend funds for the maintenance and operation of said storm water BMP (stormceptor), the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the storm water BMP (stormceptor), establish an annual special assessment for each lot within the Special Assessment District equal to the annual cost of the operation and maintenance of the storm water BMP (stormceptor) multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, RIVERWOODS SUBDIVISIONS NO. 1 AND 2 covered by this Special Assessment District, specifically.

4) That after the determination of the annual cost of the operation and maintenance of the storm water BMP (stormceptor), the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5) That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient, or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

**FOR THIS MOTION: KRZEMINSKI, NEVERS, DUNN, MALBURG,
BUCCI, KOEHS, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

**Michael D. Koehs, CMC
Macomb Township Clerk**

RESOLUTION DECLARED ADOPTED.

18. **Request to Adopt the Amended Resolution No. 2; Sec. 33 Riverwoods Subdivision No. 4; Special Assessment District; Storm Water BMP (stormceptor);** Located south of 21 Mile Road and west of Heydenreich Road. Timothy Tomlinson, Petitioner.

Supervisor BRENNAN reviewed the request.

Public Portion: None

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

MOTION by KRZEMINSKI seconded by NEVERS to adopt the Amended Resolution No. 2; Sec. 33 Riverwoods Subdivision No. 4; Special Assessment District; Storm Water BMP (stormceptor) Permanent Parcel No. The resolution is as follows:

**RESOLUTION NO. 2
(Riverwoods Subdivision No. 4)**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 24, 2005, at 7:00 p.m., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.
ABSENT: None.

The following preamble and resolution were offered by Member KRZEMINSKI and supported by Member NEVERS.

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated October 27, 1999, establishing a Special Assessment District subject to a public hearing for the purpose of maintaining and operating a storm water BMP (stormceptor) described in Exhibit A attached hereto; and

WHEREAS, pursuant to Sections 192a(2) and 192(a)(5) of Act 288, P.A. 1967, as amended, (the "Act"), proper notice having been given, a hearing was held on November 22, 1999, on creation and maintaining the storm water BMP (stormceptor), including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the storm water BMP (stormceptor) by special assessment was approved; and

WHEREAS, the Special Assessment District consists of RIVERWOODS SUBDIVISION NO. 4, LOTS 185 THROUGH 251 (the "Plat"), inclusive, as approved by the Township located on a portion of the land described in Exhibit B attached hereto; and

WHEREAS, Lots 185 through 251, inclusive, within the Plat are benefited by the storm water BMP (stormceptor).

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual costs of the operation and maintenance of the storm water BMP (stormceptor)s, determine the annual

special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1) That the Special Assessment District created by resolution on October 27, 1999, and approved at a public hearing on November 22, 1999, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit B attached to this Resolution and made a part hereof.

2) That the authority to defray the costs of operating and maintaining the storm water BMP (stormceptor) by special assessment on the property benefited thereby as adopted by the Township by resolution on October 27, 1999, and approved at a public hearing on November 22, 1999, is confirmed.

3) That in the event the Township has or intends to expend funds for the maintenance and operation of said storm water BMP (stormceptor), the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the storm water BMP (stormceptor), establish an annual special assessment for each lot within the Special Assessment District equal to the annual cost of the operation and maintenance of the storm water BMP (stormceptor) multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, RIVERWOODS SUBDIVISIONS NO. 4 covered by this Special Assessment District, specifically .

4) That after the determination of the annual cost of the operation and maintenance of the storm water BMP (stormceptor), the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5) That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient, or desirable to carry out, put into effect or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

**FOR THIS MOTION: KRZEMINSKI, NEVERS, BUCCI, DUNN,
MALBURG, KOEHS, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

Michael Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

BROADCAST MEDIA DEPARTMENT:

19. Request to purchase video tape products

James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by KOEHS to approve the request to purchase multiple formats of video tape and DVD-R Products through the Tape Company for the total cost of Two Thousand Two Hundred Fifteen dollars and 10/100 (\$2,215.10) plus shipping.

MOTION carried.

20. Request to purchase equipment cases

James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by MALBURG to approve the request to purchase one portable 9" color monitor with a soft-side case to be used in applications for both field and studio productions, two soft-side camera cases for the two field cameras purchased in June 22, 2005 an one soft-side utility case to be used for transporting cables, misc, tapes and batteries to various productions. The purchased will be made through ProVideo Systems Inc. for the total cost of One Thousand Seven Hundred Fifty Seven dollars and 00/100 (\$1,757.00) including shipping.

MOTION carried.

FIRE DEPARTMENT:

21. Request permission to purchase radio equipment.

Chief AHONEN reviewed the request.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Public Portion: None

MOTION by KOEHS seconded by NEVERS to approve the request to purchase radio equipment through Bearcom of Farmington Hills Michigan for the total cost of Twenty Six Thousand Three Hundred Twenty Nine dollars and 00/100 (\$26,329.00).

MOTION carried.

22. Request permission to purchase fire hose.

Chief AHONEN reviewed the request.

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to approve the request to purchase fire hose through Apollo Fire Equipment of Romeo for the total cost Two Thousand Six Hundred Three dollars and 75/100 (\$2,603.75)

MOTION carried.

23. Request permission to purchase Fire Prevention Materials

Chief AHONEN reviewed the request.

Public Portion: None

MOTION by DUNN seconded by NEVERS to approve the request to purchase Fire Prevention Materials: 2,500 Fire Helmets through New England Promotional for the total cost of Nine Hundred Ninety Three dollars and 75/100 (\$993.75); 1, 000 Plastic Rulers 6" with name through Ross Industries, Inc. for the total cost of Four Hundred Seventy dollars and 00/100 (\$470.00) and 1,000 Crayons through Ross Industries, Inc. for the total cost of Three Hundred Thirty dollars and 00/100 (\$330.00); 1,000 Coloring Books through Robotronics for the total cost of Four Hundred Forty dollars and 00/100 (\$400.00). The purchase request items include the shipping charges as part of their totals.

MOTION carried.

24. Request permission for Captain Myny to attend the annual State Certified Fire Inspector Program.

Chief AHONEN reviewed the request.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Public Portion: None

MOTION by KOEHS seconded by DUNN to approve the request to allow Captain David Myny to attend the annual Michigan Fire Inspectors Society classes that will be held at the Kellogg Hotel & Conference Center, Michigan State University, East Lansing. The conference will begin September 13, 2005 through September 16, 2005. The class will cost Three Hundred Twenty Five dollars and 00/100 (\$325.00). The Kellogg Center lodging total cost is Two Hundred Seventy Four dollars and 05/100 (\$274.05). Meals and Mileage will be reimbursed pursuant to the Township Policies.

MOTION carried.

25. Request permission to deliver Unified Incident Command Training.

This matter was tabled.

PARKS & RECREATION DEPARTMENT:

26. Cleaning of the Recreation Center Building

Salvatore DiCaro, Parks & Recreation Director, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by BUCCI to approve the request through Kristel Cleaning Inc. to clean the Community Recreation Center for the total cost of Thirty One Thousand One Hundred Four dollars and 00/100 (\$31,104.00) per year.

MOTION carried.

WATER/SEWER DEPARTMENT:

27. Approval of Pay Certificate # 2, 23 Mile Road Sanitary Sewer (North Ave West 1,800 ft) MA03-015, L. D'Agostini & Sons.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by MALBURG to approve Pay Certificate #2 – 23 Mile Road Sanitary Sewer (North Ave West 1,800') MA03-015 for the total

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

cost of One Million Two Hundred Seventy Thousand Nine Hundred Sixteen dollars and 00/100 (\$1,217,916.00).

MOTION carried.

28. Temporary Cement Batch Plant Requests, Tony Angelo Cement Construction Company:
- A. Breton Woods Condominiums
 - B. Legacy Farms Subdivision

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by KOEHS to approve the Temporary Cement Batch Plant Request for Tony Angelo Cement Construction to erect and operate portable concrete bath plant for Breton Woods Condominiums for a period of Sixty (60) Days Beginning August 25, 2005 through October 25, 2005.

MOTION carried.

MOTION by DUNN seconded by NEVERS to approve the Temporary Cement Batch Plant Request for Tony Angelo Cement Construction to erect and operate portable concrete bath plant for Legacy Farms Subdivision for a period of Sixty (60) Days Beginning August 25, 2005 through October 25, 2005.

MOTION carried.

BOARD COMMENTS:

29. Supervisor Comments:

Addition:

- 29a. MAFF Letter of Understanding

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by BUCCI to authorize the Township Supervisor to sign the MAFF letter of understanding.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Addition:

29b. Water Main Bid Award

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by KOEHS seconded by MALBURG to approve the 26 Mile Road Water Main (Glen Eden East Lutheran Cemetery East 1,244') Section 5 MA03-030. The contract will be awarded to Macomb Pipeline and Utilities for the total amount of One Hundred Thirty Three Thousand Six Hundred Twenty dollars and 00/100 (\$133,620.00).

MOTION carried.

30. Clerk Comments: None

31. Treasurer Comments: None

32. Trustees Comments: None

EXECUTIVE SESSION:

MOTION by KOEHS seconded by BUCCI to adjourn into executive session at 7:43 p.m.

MOTION carried. *The members of the Board reconvened at 7:47 p.m.*

33. Easement Acquisitions; Permanent Parcel No. 08-14-400-016; 23 Mile Road Water Main Project (MA04-013)

MOTION by KOEHS seconded by KRZEMINSKI to approve the easement acquisitions; Permanent Parcel No. 08-14-400-016 – 23 Mile Road Water Main Project (MA04-013)

MOTION carried.

ADJOURNMENT:

MOTION by KRZEMINSKI seconded by BUCCI to adjourn this meeting at 7:48 p.m.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING
HELD ON WEDNESDAY, AUGUST 24, 2005
AT 7:00 P.M.

Respectfully submitted,

John D. Brennan, Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmh